

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**November 3-7, 1997**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
11-3	OPP	92,010	D.A.R.E. America v. Dare To Be Great, Inc.	Hanak Hohein* Walters	2(d)	Opposition Sustained	"DARE" and "PROJECT DARE" [both marks used for promoting the prevention of drug abuse and counseling and dissemination of related educational materials]; "DARE TO SAY NO," "D.A.R.E." and "D.A.R.E. AMERICA" (and flag design) [all three marks used for conducting classes, lectures, seminars, training programs and workshops relating to drug abuse prevention] (opposer claiming a family of "DARE" marks)	"DARE TO BE GREAT" [pre-recorded audio and video cassettes, namely, those dealing with motivational seminars in the area of personal improvement; publications, namely, those dealing with motivational seminars in the area of personal improvement]			No
11-3	EX	74/520,422	V & R Pizzeria, Inc.	Quinn Hohein Hairston*	2(d)	Refusal Affirmed		"DANTE FAMIGLIA PIZZA AND PASTA" (and design) [pizzeria restaurant services, including carryout services]	"DANTES" [restaurant and cocktail lounges services]	Jenkins	No
11-3	CANC	23,117	American Cyanamid Co. v. Microsurge, Inc.	Cissel Hohein Hairston*	2(d)	Petition to Cancel Denied	"D-TACH" [surgical and dental needles]	"DETACHATIP" [grasper, dissector, scissors for use in surgery]			No

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(2) \*=Opinion Writer; (D)=Dissenting Panel Member

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11-6	CU	1,012	Dynamark Security Centers, Inc. v. Intruder Alert Systems of San Antonio, Inc.	Simms Hohein* Walters	whether the concurrent use applicant established its entitlement to a concurrent use registration for its claimed territory	Concurrent use registration granted	"S.A.F.E. SECURITY AFFORDABLE FOR EVERYONE" [leasing of security systems for residential and commercial use] (for all of the U.S. except for San Antonio, Texas and four surrounding counties)	"SAFE/SECURITY ALARMS FOR EVERYONE" [burglar alarms] (limited to San Antonio, Texas and four surrounding counties)			No
11-6	OPP	95,834	Intelligent Sports Inc. v. Randy Buller	Rice* Hohein Hairston	2(d)	Opposition Dismissed	"THE SPORTS AUTHORITY," "THE LOW PRICE AUTHORITY" et al. [retail store services featuring a wide range of sports equipment—from footwear and apparel to hard goods]; "AUTHORITY" [rainwear, jackets, coats, suits, slacks, and vests]; "THE SKI AUTHORITY" [retail store services featuring ski equipment and clothing]; "THE BAG AUTHORITY" [athletic bags, etc.] (opposer claiming a family of "AUTHORITY" marks)	"PARTS AUTHORITY" [retail store services and distributorship services dealing in automobile parts, supplies and accessories]			No

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11-6	EX	74/528,628	American Biomimetics Corp.	Seeherman Hanak Quinn*	2(e)(2)	Refusal Affirmed		<p>"AMERICAN BIOMIMETICS CORPORATION"</p> <p>[financial services in the field of materials, namely, raising capital, organizing ventures, and providing financial management in connection with searching for and creating new materials, development of techniques for their manufacture in commercial quantities, and research and engineering in connection with their commercial utilization; consulting and research services for others in the field of materials, namely, searching for and creating new materials, development of techniques for their manufacture in commercial quantities, and research and engineering in connection with their commercial utilization]</p>		Rauen	No

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11-6	OPP (SJ)	103,659	Mattel, Inc. v. Cindy Bunin Nurik	Simms Cissel Quinn (opinion "By the Board")	whether applicant is entitled to summary judgment on opposer's 2(d) ground for opposition	Summary Judgment Granted (Opposition Dismissed)	"KELLY" [dolls, doll clothing, and doll accessories]	"KELSEE" [stuffed toy animals]			No
11-6	EX	74/557,929	Spinergy, Inc.	Cissel Hanak* Hohein	2(d)	Refusal Reversed		"REV-X" [mountain bicycle wheels and racing bicycle wheels made of carbon fiber composite materials]	"REV" (and design) [bicycle parts and accessories—namely, handlebar pads, frame bar pads, single stem pads, double stem pads and seat covers]	Frazier	No

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